

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JEREMY RODRIGUEZ-ORTEGA, and
JOSHUA RODRIGUEZ,

Plaintiffs,

v.

No. 1:21-cv-01129-JCH-KK

DAVID RICH, KENNETH LUCERO,
in their official and individual capacities,
L. TERESA PADILLA, in her individual capacity,
and NEW MEXICO DEPARTMENT OF HEALTH,

Defendants.

**PLAINTIFF JOSHUA RODRIGUEZ'S RESPONSES TO DEFENDANT L. TERESA
PADILLA'S FIRST SET OF INTERROGATORIES AND FIRST SET OF REQUESTS
FOR PRODUCTION OF DOCUMENTS**

TO:

INTERROGATORIES

INTERROGATORY NO. 1: Please provide the names, addresses and telephone numbers of all persons who assisted in answering this set of Interrogatories and identify the specific Interrogatories that each person assisted in answering.

REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST NO. 1: All documents (see above definition) which were utilized, referred to, or identified by you in answering Ms. Padilla's First Set of Interrogatories.

RESPONSE:

There are no responsive documents to this request in Plaintiff's possession.

REQUEST NO. 2: All documents (see above definition) which you contemplate, or could reasonably contemplate, using as exhibits or otherwise at any hearing or trial in support of any claim or to refute any defense in this lawsuit.

RESPONSE: Plaintiff reserves the right to supplement this list.

1. Rodriguez-Ortega NFA dated July 22, 2020.
2. Rodriguez Ortega EAP 2018-2019
3. DOH's Disciplinary Action Policy
4. FMLA Application 2018
5. FMLA 2020 Application #2
6. FMLA 2020 Application #1
7. FMLA Leave Summary
8. Appellee's Response to RFP 8 & 9 - 4268864
9. Appellee's Response RFP 8 & 9 - 4259542
10. Appellant's timesheets
11. Email from David Rich to Appellant Dated June 30, 2020
12. Email from David Rich to Appellant Dated July 15, 2020.
13. SPB recommended decisions for Plaintiffs
14. Rodriguez NCA dated 04/28/20
15. Rodriguez NFA dated 05/19/19
16. Emails about Disability Discrimination violations
17. Email reporting discrimination 2nd RRF 5.000494
18. Investigation interviews
19. NMDOH Disciplinary investigations
20. NMDOH Disciplinary records

REQUEST NO. 3: All documents (see above definition) referring to, discussing, or in any way relating to the allegations of retaliation as stated in your Complaint or that you believe are related to the above-captioned lawsuit.

RESPONSE: Mr. Rodriguez objects to this request as not relevant to the claims against LTP which is related only to the due process violations at SPO. It is improper for Defendant Padilla to use the extension of discovery to seek discovery for the other defendants which is outside of their own limitations.

REQUEST NO. 4: All documents (see above definition) which support, or provide evidence of, or relate to any of your claims for damages as alleged in your Complaint.

RESPONSE: There are no documents responsive to this request in Plaintiff's possession that are not already part of the SPB appeal record.

REQUEST NO. 12: All documents (see the above definition) received or sent by you, your agents or representatives to the New Mexico State Personnel Office from June 1, 2018 to the present.

RESPONSE: There are no documents responsive to this request in Plaintiff's possession.

Plaintiff objects as this request is overly broad and not relevant. In addition is requests documents from Plaintiff's attorney which are excepted as work product. Lastly, this requests documents already in the possession of SPO, since it requests communications with SPO.

REQUEST NO. 13: Any recordings of NMDOH or NMSPO employees.

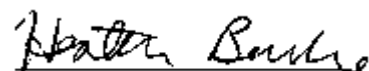
RESPONSE: Mr. Rodriguez objects to this request as not relevant to the claims against LTP which is related only to the due process violations at SPO. It is improper for Defendant Padilla to use the extension of discovery to seek discovery for the other defendants which is outside of their own limitations.

REQUEST NO. 14: Please sign and return with your responses the Authorization for Release of Employment/Personnel Records, and the Authorization to Release Scholastic/Academic Records.

RESPONSE:

Plaintiff objects to these releases as overly broad and harassing. Plaintiff's medical condition, his education, his previous employment records are not relevant to the due process claims against Defendant Padilla or any of her defenses thereto.

Respectfully Submitted.



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